

December 8, 2015

The Honorable Klint Kesto, Chairman, *and*
Members of the House Judiciary Committee

Dear Chairman Kesto and Members of the Committee,

Thank you for this opportunity to share our concerns about **Senate Bill 270**.

Rather than pass Senate Bill 270, AARP urges the Michigan Legislature to adopt the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA). AARP supports adoption of the UAGPPJA because when more than one state is involved, families can get caught in guardianship jurisdictional tangles that cost a lot of money, delay good care, aggravate family disputes, and open the door for elder abuse. Forty-two (42) other states have already passed the UAGPPJA. Instead of adopting the UAGPPJA, Michigan has in recent years enacted emergency guardianship provisions piecemeal, missing out on some of the benefits of UAGPPJA, and in some ways actually increasing the likelihood that families will need to endure duplicative guardianship proceedings and conflicts when more than one state is involved. Senate Bill 270 is such a bill.

Elder abuse, like many other forms of domestic abuse, is an often hidden phenomenon that affects hundreds of thousands of older Americans. AARP has a long history of fighting for protections against the abuse and exploitation of vulnerable adults in Michigan, and we continue to support strong legal protections against this type of abuse.

One of the reasons the UAGPPJA was developed was to prevent a particular type of elder abuse known as “granny snatching.” *Granny snatching* is a deplorable tactic by which someone who wants control over a vulnerable individual and their assets – usually when there’s a sizeable estate involved – “snatches” that individual across state lines and immediately files for guardianship, preventing control or contact with the individual by other family members. Granny snatching is rare, but when it happens it can be emotionally and financially devastating for families. The UAGPPJA sets forth clear, uniform rules for courts to use to determine which state is an individual’s “home state” for purposes of guardianship jurisdiction, and whether that state is the most appropriate forum.

AARP is concerned that Senate Bill 270 could have the unintended consequence of opening the door to individuals being “granny-snatched” to Michigan. This is because it

would make Michigan one of the easiest states in the nation for a would-be exploiter to meet the requirements for a Michigan court to exercise jurisdiction in a guardianship case over a person who is legally a resident of another state.

AARP would welcome the opportunity to work with the committee and develop a possible substitute to incorporate language more along the lines of the UAGPPJA, to better help protect older adults and their families from bad actors in the future.

Thank you again for this opportunity to share AARP's concerns with the committee. If you have any questions or if there is further information we can provide, please feel free to contact Melissa Seifert at MSeifert@AARP.org or 517-267-8934, or Lisa Dedden Cooper at LCooper@AARP.org.

Sincerely,



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